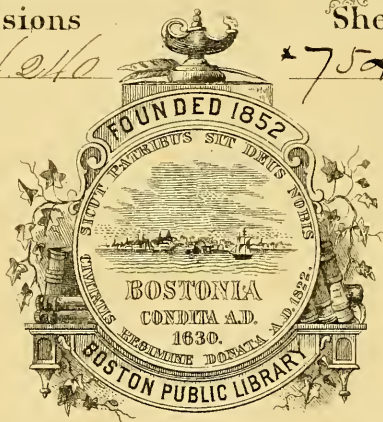


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CANDID REVIEW

OF THE

“CORRESPONDENCE

IN RELATION TO

THE THIRD CHURCH OF 1735 ;”

AND THE

“REMARKS UPON THE PAMPHLET

PUBLISHED BY THE TABERNACLE CHURCH.”

BY THE PASTOR OF THE TABERNACLE CHURCH.

SALEM OBSERVER PRESS.

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REVIEW.

THE reader will have a great advantage, if he has before him the two pamphlets, which have been occasioned by this discussion. If any have neither time nor desire to read much upon the subject, we would refer them to the brief exposition, which they will find in the concluding pages of this Review. The question, however, is of more importance, and is entitled to more general consideration, than many may suppose. It is not peculiar to these churches in Salem. A similar question is yet to be settled in Pepperell. One of the same kind, we are happy to learn, has recently been put at rest in Nashua, by an appropriate concession of one of the two churches, which had very strenuously claimed to be the First Congregational Church. If such questions are *not* settled, our ecclesiastical history must inevitably be involved in more or less of contradictions and perplexities. Who, for example, could give an accurate view of the period of formation, and an outline of the progress of all the congregational churches in Massachusetts? If the old question between the Third Church and the First Church had not been settled in 1762, there might now have been at least *three* First Churches in our city.

We cannot agree with our brethren, in their intimations concerning this question, as if it had but “a show of importance.” Their very resistance of our proposals for a settlement, is proof enough, that it is not, in their own view of it, a trivial matter. If it were thus, and if they have no strong feeling in regard to it, why not concede what we have demonstrated to be ours; or at least consent to have the question submitted to mutual friends?

For ourselves we feel, that we cannot easily exaggerate the importance of *settling* this question, however the question itself may be regarded. Twice have we had occasion to call upon the disinterested, to arrange by “lot” our places in a public procession. The like occasion should never occur again. And with what propriety can the North Church—that of 1772,—be preceded by two churches?

ches, claiming to be the Third Church of 1735? May such a spectacle never be witnessed again. The question now before us should be settled at once, and forever.

“THE CORRESPONDENCE” which makes the larger part of the pamphlet of our brethren, we had never expected to see in any such mode of publication. But we rejoice in its appearance before the community. Many will be better satisfied, and the object of our personal exertions will be, as we trust, more speedily and effectually accomplished.

Individuals may do much to create an unpleasant state of feeling, between these two sister churches. They may fulfill their own predictions of evil. But we must disclaim all such consciousness, as that which would seem to be taken for granted by some of our brethren, as inseparable from the effort which we are making, to obtain a just and amicable settlement of this question. Is it true that christian brethren may not discuss such a point of disagreement or difference, without feelings of strife or unkindness? We cannot admit it. Certainly it ought not so to be. And if in such circumstances, any uncomfortable or dishonorable feelings are excited, it is no good reason why *truth* should not be vindicated and *right* established.

We are all liable to err, and we should be willing to be corrected. We should always be slow to take offence. In the most fervent brotherly kindness and charity, it will not be doubted that Paul “withstood” Peter; and in the spirit of the same brotherly kindness and charity, he was still regarded as a “beloved brother.” The example should never be forgotten. We are not conscious, that we have done or desired any thing in this discussion with our brethren, which, with all due allowance for human infirmity, is any more inconsistent, than was that example, with christian integrity, courtesy, fellowship and peace.

The Relation of “The Correspondence” to our former Pamphlet.

In order of time, “The Correspondence” having preceded our formal vindication of the claims of the Tabernacle, it was of course under our eye. If we had felt at liberty to quote from it, without publishing the whole, we might have anticipated many of the remarks, which we shall now make. But the impartial and discriminating reader of both need not be reminded, that we have really confuted or neutralized *all the argument*, in the opposing pamphlet, which touches or approximates the merits of the question.

As we endeavored to discuss the subject, upon the broadest grounds of fact and principle, and without any artifices or entanglements of statement or reasoning, we adopted a systematic and luminous order. The proper method of answering us, therefore, would have been, to take up the several positions and the leading points of our argument consecutively, re-examine the witnesses, and form conclusions at the end of each head, rather than at the beginning. As it is, however, what is published under the *appearance*, and for the *effect* of an answer, cannot, as we believe, be regarded *as any proper answer*, by any one who has read both the pamphlets intelligently and candidly.

We are aware, that with undisciplined or prejudiced minds, and, perhaps, with superficial readers generally, a captious inquiry, or any frivolous objection, may have more weight, than the most perfect moral demonstration. And too many have yet to learn, that *assertions are not facts*; that to *oppose* an argument is not to *answer* it, and to *deny* a conclusion is not to *disprove* it. But we are "persuaded better things" of the most who will read these pamphlets; and we do, therefore, most truly rejoice, as we have said, in the publication of our brethren.

It is stated (p. 10,) that "no reply" to their Report of Dec. 22d, was received from the Tabernacle Church; but a few months after its date, a pamphlet of some 50 pages, [elsewhere called "56 close pages"] was printed by order of that Church, and extensively circulated." We were much surprised at such statements as this. Was any "reply" *expected*? We honestly thought, that no further communication from us was desired.

It would take time, which we cannot afford, to notice a variety of similar intimations, which, if well founded in fact or reason, would not aid the public in determining which is the Church of 1735. We shall pass them by, not noticing as we had intended, the remarks, e. g. upon the occasion of the correspondence, and the objection to meeting us in friendly conference. The reason assigned (p. 2,) seems to us, not to harmonize with those in the communication of Nov. 10, nor to accord perfectly with some vivid recollections of an interview, which, by several weeks, preceded our proposal of Oct. 20.

In other parts of the pamphlet, we find statements or intimations which are far from being just, according to our knowledge or impressions. We would not think too much of them, while we cannot but regret them. We should mutually aim to place *the truth*, as precisely and simply as possible, before the judgment of the reader. If you wished your friend to fix his mind closely upon an object of ex-

amination, you would not often call him away by bewildering suggestions; and if the object of his attention were at the bottom of a lake or a flowing stream, you would not first stir up the waters or discolor them.

Our true reasons for publishing as we did, were ingenuously given in our pamphlet. (p. 6.) Our brethren have mistaken our motives. They must bear with us a little. In assuming to know the business of the Tabernacle Church so intimately, and the purposes of the pastor, they have either been incorrectly informed, or imagination has been suffered to have too much influence and authority. Soberly and in sincerity can any one think, that we should have come before the public, because we could not maintain our ground with our brethren in private; or that we could deliberately omit or suppress any fact or argument, which we knew that they had at their command, and which, if published, would weigh heavily against us?

Suppose that we had "changed ground" in any respect, or "abandoned" "certain points," would it prove, that our cause is not good, and that the arguments which remain to us are not manifold and conclusive? Such remarks as those on pages 31--33, might be much more true and candid than they are; and yet our reliable vindication be as irrefragable as any demonstration of geometry.*

Our brethren may have been disappointed in finding, that we made so little account of our brief communication of Nov. 13. We were well aware, that there were passages, which they might deem very singular and very vulnerable. But we do not see why they need to have so misquoted and misapprehended us: particularly in regard to the Presbyterianism of the Third Church, and the Result of the Council of 1784.

Of this last we would say a few words in this connexion. The "entire and strange misunderstanding" is not with us. That Council was called by the Church of the old organization of 1735. We no more supposed, that the object was to consider any point of the present question, than to dedicate a Hebrew Synagogue, or Catholic Cathedral. The reader may see what we said of that Council, in 1835. (Claims, etc., p. 30.) But how they could act and speak as they did of the Third Church, in their proceedings against Dr. Whitaker, without really recognizing that very Church from which they removed him, as the Church which settled him in 1769, we did not perceive or suspect,

* When the defeated chieftain at Buena Vista spoke as he did, of "three positions" that he took, the standards, and other trophies of his prowess, the world made their own comments.

until we had reached an advanced stage of the present discussion. We have the living proof, that they were considered by those who called them, as recognizing them most fully as the original Third Church. Hence we spoke of their Result, (Correspondence, p. 10,) as having "thus indirectly, but *really reversed or nullified the decision of that Council of 1775*, so far as that decision had any title to respect, in determining the question before us." It was "*indirectly*" that we said, not directly and "completely," as we are represented. (pp. 13, 31.)

Believing that the leading members of the Council of 1775 must have changed or materially modified their views of the affairs of the Third Church, when acting in 1784, against Dr. Whitaker, in aid of the majority who in 1775 sustained him,—we had thought it a consideration of some importance in "undermining" the reliance of our brethren, who so entrench themselves behind the opinions of the Council of 1775. But we never regarded any *opinion* of that Council of 1784, any more than that of 1775, as *testimony* to a matter of fact.

Upon a more thorough examination of the Result of 1784, — aided especially by a short passage in Mr. Cleaveland's Defence of it, which had inadvertently escaped us, notwithstanding that "laborious investigation of several months";—we became satisfied, that the Council intended to be at least consistent in inconsistency, and to use language so equivocal or guarded, that the real Third Church which called them, and the *nominal* Third Church of their "construction," might each be content. Accordingly, as we wished to have no disputable matter in any part of our vindication, we just dismissed all such notice, as our brethren may have expected us to take of the Result of the Council of 1784.

But as will be seen in our Appendix, (p. 56.) we had purposed to insert it there with some remarks. It was not of sufficient consequence, to induce us to make the requisite enlargement of the pamphlet. The reader will find it, in the Appendix to this Review. And our brethren are cordially welcome to all the aid which it can afford them. We miss it from the accumulated and accumulating mass of our details, very much as a locomotive would feel the loss of a handful of chaff, which the wind driveth away.

If our brethren had confined themselves to our argument proper, we must be permitted to surmise, that we should not soon have seen a pamphlet of as many pages, as has now been issued. And this we say not "tauntingly." We never intended to "taunt" our brethren, even "some-what";—but we are fully persuaded, that they would

not be in haste for a regular, direct, and logical effort, to confute the published "claims of the Tabernacle Church to be considered the Third Church of 1735."

They assure the public, that "it is a controversy into which they have reluctantly been drawn." It is a *discussion* and a vindication into which *we* have "reluctantly" been *driven*. And now, although our argument is unmov- ed, we have thought it expedient, to make some explana- tions in answer to inquiries, which may have been sug- gested, and to illustrate the unsoundness and inconclusive- ness of what has been published by our brethren.

The Question and the State of the Question.

We of the Tabernacle Church claim to be the continued and uninterrupted organization of the Third Church of 1735: We care nothing for the name Third Church, or the style Third Congregational Church. On the other hand, our brethren of the South Church claim the right to be called Third Church, to be considered the Third Con- gregational Church in Salem, and to be written in history, as the original Third Church of 1735. It is this last point that we are now contesting. If the inquiry were, which Church in Salem is entitled to be considered the Third Congregational Church, we might, if disposed, urge a claim to be so considered, as being such originally, and as being otherwise only for a season.

But the *North Church*, not the *South Church*, could inter- pose the weightiest claim against us. For when the North Church was formed in 1772, the Third Church was really *presbyterian* as well as congregational, and had been so for three years. Until 1775, there was no such organiza- tion as that of the South Church. And, beyond a question, in June, 1774, and after, the North Church was truly, though not in name or style, the Third *Congregational Church* in Salem.

The South Church, under the assumed name of Third Church, and style of Third Congregational Church, was formed Feb. 14, 1775. (See Claims, etc., p. 10.) The Council, however, *for a purpose*, endeavored to *disguise* their proceedings by the language of their Result, as if instead of doing what they certainly did, they only assisted the "14 brethren and 24 sisters" in a "renewal of their covenant." Their procedure really was, and was under- stood to be, by those without, if not by those within,—*a formation of a new Church*. The persons whom they or- ganized and recognized as a Church, at that time, had sep-

arated or seceded from Dr. Whitaker, and the adhering majority; as is correctly stated by Dr. Bentley, and in Felt's Annals. They had also been formally declared to be *dismissed* from the Third Church. Unless, therefore, it can be a fact, that the original and undissolved organization of 1735, was transferred to those "*seceders*," or was in some way inherent in them alone; and that it was not continued in the majority, who remained with Dr. Whitaker on the ecclesiastical premises, and who held possession of all the property, with the Records, and every legal right and immunity;—it is impossible in the nature of things, that the South Church can have any "reasonable and just" claim to be considered the Third Church of 1735. Neither ought they to be called the Third Congregational Church in Salem, nor call themselves Third Church.

The *identity* and *individuality* of the organization of 1735, is now represented by us of the Tabernacle, as much as the North Church represents the organization of 1772. It *cannot be* with our brethren of the South Church. There is an intrinsic absurdity in the pretension; for there must have been for a period, two churches in one and the same organized body, that of "the minority" being the elder!

Our brethren ought to show, that the Third Church of Christ in Salem was dissolved, or became extinct, or that in some way it ecclesiastically transmigrated, or was translated, between July 1769, and June 1774; so that what in 1774 was known and read of all men, as the Third Church of Christ, was in truth *no longer in being* among the majority, who regularly joined it; who were still in constant communion with it; and who never left it, or were separated from it,—until in years afterwards, they departed this mortal life. Such is the position of the Tabernacle Church in its past history and the general impressions and persuasions of the public, that *the burden of proof* is on the other side altogether. It belongs to our brethren to produce the evidence of facts, that we *did begin* as an organization, at some other time, and in some other way, than that of the Church of 1735. No *inference* from an opinion of an *ex parte* Council, by which an attempt was made, against all truth and all justice, to invest "the 14 brethren" with the rights of the Church of 1735, can ever be received as *testimony* or as *law*.

The Presbyterianism of the Third Church—the connexion with the Boston Presbytery—the alledged “withdrawal” of Dr. Whitaker and the majority, &c.

It has sometimes been said by members of the South Church or Society, that they do not claim to be older than the Tabernacle Church, or to be the Third Church of 1735; but that they are *the Third Congregational Church*, because the Tabernacle Church was *Presbyterian*. Whoever speaks thus, is either disingenuous, or is ignorant of the true question at issue. For the facts in the case, in general and particular, we must refer to our former pamphlet. (pp. 9, 49, etc.)

Our brethren seized a little too violently upon some of our condensed and free statements, in the immediate response which we made to them, Nov. 13.

They say (p. 32,) “We were also told, in reply to our assertion, that the Dr.’s Church had become Presbyterian, that the Church during the whole period of Dr. Whitaker’s usurpation, never by any act, vote, or resolution, as a Church, became otherwise than Congregational.”—*This* was what we said:—“The Church formed in 1735 was never dissolved,—never changed its congregational covenant,—and never by any vote, resolution, or other act, *as a Church*, was otherwise than *Congregational*.” This is true, as we intended to be understood. But the statement was incomplete, through inadvertence. We ought to have added,—“*unless* we except the unanimous vote, by which, May 19, 1769, the Church adopted Dr. Whitaker’s plan of government by an Eldership or Session.” (See Claims, etc., p. 28.) We referred particularly to what was done after his settlement.

In the sentence which followed the above, we said,—“The Records of the Church acts are *Congregational*, all through the times of Dr. Whitaker’s usurpation.” (Correspondence, p. 8.)

In our pamphlet, we have the words, “*with a few trivial exceptions*.” We alluded to the annual choice of elders, and to one or two items of business done by the Session.—Dr. Whitaker is supposed to have kept some other book for the business of the Session, or not to have recorded it regularly. Our brethren themselves will not deny what we stated concerning the congregationalism of the Records, as being entirely true of the period previous to 1774. There is not the least difference *after* 1774.

“But we are now told, (say they, p. 51,) “that notwithstanding the irregularity of the proceeding, by which the Dr. obtained the consent of the male members, the majority were willing to be connected with the presbytery,” and “the Church was just as really connected with the presbytery, as if a formal vote had been taken, after open and protracted debate.” And this is said, as if we had “abandoned” “a point,” or were singularly inconsistent. Every word *is true to the letter!* And

did we not explicitly speak of the Church, in that same communication of Nov. 13, as being actually so "connected;"—while contending also, that "the relation of the Church to the Presbytery, was in no way such a relation as had changed the identity of the Church as the legitimate Third Church of 1735"—(Corres. p. 9.)

We would now state distinctly, that the principal reason why we then spoke as we did, of the *congregational* features of the Church, was, that it had been very common to say, or to imply, that *Dr. Whitaker's friends only were presbyterian*; and that by some sort of presbyterian action, they had separated themselves from the Third Church; had forfeited all title of membership; and had really become a new organization and church. In meeting this unfounded objection,—unfounded because wholly untrue in fact,—we have said more upon this part of the question, than was at all necessary. In our early views of the subject, as we are now persuaded, we gave an undue prominence to the facts, as we understand them, which pertain merely to the existence of the presbyterian element or form in the Church, during the ministry of Dr. Whitaker. The more we consider the subject, the less importance do we attach to anything, which can be truly said upon this point. And we are sorry, that our brethren seem unwilling to have us "obtain more 'light.'" (p. 32.) We can assure them, however, that every step which we now take, reminds us of "the path" which is as "the shining light, that shineth more and more unto the perfect day." They themselves have "aided us materially," as we acknowledged. (p. 5.)

In respect to the strictures upon some of our expressions, it would be enough to say, that the Church was both Congregational *and* Presbyterian from 1769. And all the labor of so many pages in the Reports of Dec. 22, and May 18, to prove that we *were* presbyterian, is labor to prove what we never thought of denying or concealing, any more than that we are the Tabernacle Church. Our brethren seemed to us, therefore, in all those multiplied citations and reasonings, to be only "as one that beateth the air."

Let it further be stated, that in speaking as we did, of "*no vote, &c. of the Church, as such*," to make it otherwise than Congregational, we had our mind specially upon *the manner* in which the Church came under the Presbytery.—In calling this both "irregular and clandestine," the language was adopted from the Council of 1784, and from the accusations of Mr. Cleaveland against Dr. Whitaker. Let then the latter be heard upon the point.

"It is objected," (says Dr. Whitaker,) "that this was irregular, because no positive vote was put. Answer. I grant this to be irregular

by Congregational laws, but not by Presbyterian, on which we acted. When any act of the Eldership is proposed for the consent of the Church, I never knew an instance of putting a positive vote, and lifting up of hands *for* or *against*. We only call for objections, which must be either spoken or written. This has been the constant practice of this Church, since I settled here, in admitting members, and obtaining the concurrence of the body, with the judgment of the Session; as all my people know: I never call for a vote of the body by lifting up of the hands: our plan does not admit this, and for good reason, viz: *That the objectors may offer and prosecute their objections, and not barely lift up their silent hands.* By our constitution, the judgment of the Session may be executed, if no objection be offered, or if the objector will not prosecute. This was the case here. In a regular Church meeting, I called for objections; none were made, and therefore all were supposed to consent." And he adds, that "to cut off all occasion of complaint etc., he published the design the next Sabbath, to the whole congregation, after divine service."

If the reader will consult our pamphlet, (pp. 9, 51,) he will more fully understand why we said, that although there had been "no vote, etc.," i. e. in regular mode of proceeding, as we have been accustomed to say,—the Church became connected with the Presbytery. The *fact* is indisputable, whatever the explanation.

But what said our brethren themselves, in the document of Dec. 22? "In reference to this point we remark, that so far as the *Church* and *Society* in the old meeting-house is concerned, we freely admit, that *there was no such vote*,—and this fact we deem a strong point in our case"!—Now let us, if we can, here have "a nail in a sure place."

"The old meeting-house" was burned, Oct. 6, 1774. Up to that date, then, it appears, our brethren "freely admitting,"—"there was no such vote"! But we ask what "Church" and "Society" occupied that "old meeting-house," *as long as it existed?* Was it not the Church and Society, to which Dr. Whitaker regularly ministered, according to the terms of settlement as pastor, in July, 1769? It was that Church, and the very Third Church of 1735!

Take another view. It was nearly *five months* before the fire of October 6,—that the Boston Presbytery had taken the Church under their watch and care; as we have particularly described in our former publication. And that Presbytery had held a session in Salem, *during the month previous to the fire*, and had transacted most important business for the *Third Church*, as being now connected with that body, as truly as was any other Church. Here then, again, our brethren "freely admitting," that as late as Oct. 6, there *had been no vote*, by which the Church and Society in the old meeting-house, became otherwise than Congregational; and yet, *there was the Presbytery* convened in that very house, beyond a question, Sept. 16;—or three

weeks before it was laid in ashes! And on that same day it was,—that the Presbytery voted concerning “the 14 brethren,” “*that they be dismissed from the Presbyterian Church under Dr. Whitaker’s pastoral care!*” If, therefore, the Church of Dr. Whitaker was not Presbyterian, and under a presbytery, *before* the 6th of Oct. 1774, it *never* was.

Having cited a vote of our Church, January, 1784, when all connexion with presbyterianism was renounced, our brethren exclaim,—“How they could *renounce* presbyterianism, and re-assume the congregational form, if they had been all the while congregational, is a problem which we leave for others to solve, &c.” (p. 16.) We think there is a problem here.

“As a further proof that the Church under Dr. W. was *actually presbyterian*,” they say, “we would refer to the fact, that at a meeting held on the 1st of September, 1776, agreeably to public notice given, to choose Elders, Mr. Hiller (one of the Elders) was appointed to attend the *Synod* and *Presbytery* at Londonderry, with Dr. Whitaker.” But it is also recorded, Sept. 11, 1769,—“The Church met agreeable to notice at the house of Deacon Ruck, and chose for Elders, Messrs. John Gardner, Deacon Ruck, Thorndike Procter, Jacob Ashton, and Benjamin Ropes.” Now if the Church was not *presbyterian*, in any essential respect, before the date “freely admitted,” i. e. Oct. 6, 1774;—and if Benj. Ropes, John Gardner, Thorndike Procter, and all of the fourteen brethren had never been otherwise, than “remaining upon the Congregational platform;”—how came they to be the foremost of Dr. Whitaker’s Elders or Session, in 1769, 1770, 1771, and 1772? We think here also is a “problem.”

And what kind of *government*, and whence was it, which they so opposed in 1773? What did they mean in so addressing Dr W., Nov. 18, 1773? (Claims, &c. p. 52.) What shall we say also of this Record, April 16, 1770?—“The Elders [those appointed in Sept. previous] met at the house of Dea. Ruck. A letter missive from a new Society in Bradford, being read, the SESSION voted,—That Elder Thorndike Procter attend the Council to meet at Bradford, the 24th inst., as their delegate.”

This is one of the “exceptions,” to which we have alluded, and which we presume our brethren overlooked, in searching our Records. But it very clearly indicates, that the only difference in the Church, as to presbyterianism, in 1770 and 1776, was simply, that in 1770 it had not become connected with a presbytery. On the whole, therefore, what our brethren considered “a strong point in their

case," like some others upon which they rely, would seem to us, to be very near akin to "confidence in an unfaithful man in time of trouble." (Prov. 25: 19.)

After the Boston Presbytery, in May, 1774, became the "Judicature" of the Third Church, by petition and consent of the majority, the fourteen uneasy brethren were worshipping, and communing as they had been for more than a year, and some of them two years,—in divers places. The majority of the Church, however, with a vast proportion of a Congregation, which, by actual census, in 1771, exceeded 1900,—continued, *as before*, in "the old meeting-house." Internally, as a Church, there was no change. There was no more of a new organization, than there was any day of the last year in the South Church.

The idea, that the Boston Presbytery received not the Church, but sundry persons, who had withdrawn in their "individual capacity," is all a delusion. Some faint coloring may seem to have been given to such an idea, however, by a statement of Mr. Cleaveland, that among the petitioners were "several, who were not members of the Third Church in Salem." (Corres., etc., p. 38.) There were *three*, who "were desired to act" with the others, because "considered members by residence, though not dismissed from the churches where they first covenanted." As such they signed the petition. (Ch. Rec. p. 161.)

Mr. Cleaveland also, after the Council of 1784, spoke of the majority, as if it was "very *expedient* for the Council to recognize them, not only as a Christian Church, but as a consociated Congregational Church;" "for, though they did not join to the Presbytery by any formal act *as a church*, yet, they had been *acknowledged* by the Presbytery to be a church, attended upon the Doctor's administrations of Gospel ordinances *as a church*, and voted their declinature from the Presbyterian, and resumption of the Congregational form of government *as a church*!" Here we have another example of "*construction*"; and all *for a purpose*, which we think we could explain. Mr. Cleaveland *knew*, that not one individual of "the majority," (or "Tabernacle Church," as he called them in the same pamphlet,)—ever left the organization of the Third Church of 1735! When a man has committed one "egregious error," which he has not the humility to confess, though he may see it,—he is very liable to commit another far worse.

No Presbytery on earth could have ever *acknowledged a company of individuals*, as in the case most erroneously pretended,—*to be a Church*. It was a Church already organized, and *the Third Church*, of which Dr. Whitaker had been five years the pastor, which the majority peti-

tioned to have taken under the watch and care of the Boston Presbytery. (Claims, etc., pp. 51, 2.) And it was of *this Third Church*, that the Presbytery voted, June 1, 1775:—"By the representation made to this Presbytery in their Session at Salem, last September, it was made abundantly to appear by Dr. Whitaker, in the presence of his adversaries, that those and those only who adhered to the agreement and covenant produced by Dr. Whitaker, [the contract of settlement in 1769] are the Third Church in Salem, of which the Rev. Messrs. Dudley Leavitt and John Huntington were formerly pastors; and that they and they only, are entitled to all the privileges and immunities belonging to the said Third Church."

And why did Mr. Cleaveland forget what he himself said, in a previous part of his pamphlet, where he was opposing Dr. Whitaker's "fondness of the style of the Third Church in Salem"? "That moment," he says, "the Third Church in Salem became a Presbyterian Church, they ceased to be the Third Congregational Church," etc. ! (Claims, etc., p. 17.) What did he mean, if *the Third Church* did not become a *Presbyterian Church*?

Suppose Mr. Cleaveland had been asked by any member of the Tabernacle Church in 1784,—after the publication of his pamphlet,—in what year the Church should date their beginning. With all his desire of sustaining the "construction" of the Council of 1775,—he could not possibly have answered—"In 1774." If he had so answered, he would have had other questions to consider, by which he would have been confounded, in a few very short minutes.

We should like to know what evidence there is, that *at the time* of the commencement of the connection with the Boston Presbytery, in May, 1774, the minority *considered* the majority as members of the Third Church no longer. Did those "fourteen brethren," in the month of June, 1774, e. g. regard the majority as a new organized body, "a new Presbyterian Church" in Salem? There was no reason why they should have so regarded the majority, and there is no more reason to believe, that at that time they had any such idea, than that they considered them Mahometans or Mormons. And if they had no reason *then*, they never had afterwards. For the fire of October could have made no possible difference, as to the identity of the Church; and no new arrangements of the Society, could have had any effect upon church membership.

Show us one passage of history, or any document of those days, in which it is said, that Dr. Whitaker and the majority *withdrew* from the Third Church, or *separated* from the fourteen brethren! Give us one fact, that is the

smallest evidence, that *the people of Salem*, in 1774, had any knowledge of a new organization of Dr. Whitaker and the majority! And how *could there have been* such an organization, or how could Dr. Whitaker have "withdrawn" from the Third Church, and no man at that time have known of it, not even he himself? The Church Records have no more allusion to any such event, than to the present war with Mexico. Such an event never was, unless it be admitted, that an inference from a resolve of an Ex parte Congregational Council in February, 1775, could "construct," retrospectively, "a new presbyterian church" in May, 1774!

Let it be conceded, though we entirely doubt the fact in this form of statement, that "in the opinion of the Council of 1775," as our brethren *infer*, (p. 39) "Dr. Whitaker's Church *had never been regularly organized as a Church* ; but that it originated in 1774, when the Dr. and his adherents in an informal and irregular manner became connected with the Presbytery." What *fact* would be proved by such an opinion? Why, that, in regard to the Third Church, the good men of that Council were under a perfect hallucination, in forming and cherishing their resolve, that "Benj. Ropes, John Gardner, etc., are, in a reasonable and just construction, *the Church*, which existed in the Rev. Mr. Leavitt's day, and was under his pastoral care," etc.

The grand mistake of our brethren, in all this matter, lies in the deception or illusion of terms and phrases. What now is meant by *withdrawal*? *It is an act of a Church in respect to members, or of members in respect to a Church*. In the latter case, members *leave a Church*, by taking themselves away from its worship and ordinances. When they do thus, the Church may *withdraw from them*;—by declaring them to be no longer under its watch and care.

But *congregationalism* is not a CHURCH! And "*congregational principles*" are no more a CHURCH, than are the articles of the Constitution of Massachusetts the people of Essex County! And a *Presbytery* is no more a church, than is the Essex South Association, or the Essex South Conference! Being Congregational or Presbyterian, therefore, or being connected with a Presbytery, does not approach at all the question of church identity, or church-membership in any particular organization. *And there can be no such thing, as withdrawal from a church*, by the mere fact of being presbyterian, or becoming connected with a presbytery!

And worthy of remark it is, that in all which has been written by our brethren, or by their pastor, in respect to "withdrawal," we believe that we can no where find the

open and full expression, *withdrawal from the Third Church*. It is "withdrawal," i. e. of "the majority,"—or "*departure from Congregational to Presbyterian principles*"! But the term has been used, as *implying* a separation or departure from *the Church* of 1735.

Now all which the majority did, in becoming connected with the Boston Presbytery, was *to sign their names to a petition*, that the Church, i. e. the Third Church, might be taken under the watch and care of that body! This was Nov. 17, 1773, and the document was recognized by them in Church meeting, May 18, 1774. They violated not their covenant, by absenting themselves from the worship and ordinances of the Church. They neither left the Third Church; nor did the Third Church leave them. There was no "withdrawal" of any kind, in any established or approved sense of the term. And excepting only the documents from the South Church, we *never saw the word so applied!*

Unless it can be proved, that, by the simple fact of being connected with a *Presbytery*, the majority ceased to be members of the Third Church, all this discussion in regard to their presbyterianism, is of no manner of consequence to the present issue. Let *this* be proved, and we have nothing more to say: we yield the question. *It never can be proved*; for the thing itself, or the case supposed, is, as a matter of fact, an *ecclesiastical IMPOSSIBILITY*.

The Dismission of "The Fourteen Brethren" from the Third Church.

We refer the reader to our pamphlet. (p. 52.) Our brethren say, that "nothing new has been advanced." (Correspondence, p. 33.) And among other things, in which truth and error are commingled, they say, "we are not aware, however, that a Presbytery can discipline or dismiss members, unless the Church has first acted through the Session," etc. The action of the Presbytery presupposes, that all which was needful, *had really been done by the Session*. At the very least, the Session, as a whole, or by their representatives in the Presbytery, must have signified their concurrence in the advice and act of the Presbytery.

Those "fourteen brethren" had been "walking disorderly" for a long time; they had been contending with Dr. Whitaker, both as a man and as a Presbyterian; they utterly refused to be under a Presbytery;—and they would not consent to refer their difficulties to a mutual Council of

Presbyterians and Congregationalists. What then could be done? Nominally, they were still members of the Third Church, which was now *indisputably* Presbyterian. The Presbytery finally declared them *to be dismissed from the Church*; meaning, as we understand the act, to accomplish for the Church the same end, as is obtained, when a Church *withdraws from members who have themselves withdrawn*, or pronounces them no longer under its watch and care. This is evident from the phraseology in regard to the "sisters," who were to be dismissed, in case they should not return before a specified time. And the reason why the term "dismissed" was employed, we suppose, was, that the Presbytery wished to place them before the world and other churches, not as *excommunicated* persons, but as those, who, in forming new relations of church membership, might be treated as any other members, that should be dismissed in regular standing. Not seldom have persons been dismissed, without censure, when it was well known, that a process of discipline ought to have been commenced against them.

But suppose the procedure in question was irregular and improper? Does it follow that "the fourteen brethren" were *not* separated from the Church? Is *regularity* or *propriety* indispensable to the *reality* of an act? The "Old School General Assembly," passed an ordinance, a few years since, cutting off hundreds of churches at a single stroke; and declaring them to be no longer of the churches in connexion with that body. *They were cut off*, although entirely against their will, and against the desperate opposition of those, who are now known as the "New School General Assembly." And to what purpose, does this latter body claim to be *the true* or original General Assembly of the Presbyterian Church of the U. S.? The law of the land is against the claim, and so is public opinion.

If a member be *excommunicated*, or *withdrawn from*, or declared to be *dismissed*, from any of our churches,—(which last term ought not to be used, when any censure is really intended;) there is no power on earth, *out of the Church itself*, that can restore him. Much less can an *Ex parte Council* make *him* and others in like circumstances, *the Church*, from which they have been separated. Our concern therefore, is, not with the strict propriety of the *dismissal* of "the 14 brethren;"—but with the act, as designed by the Presbytery, and adopted by the Church, represented by the Pastor and the elders.

That the brethren were declared to be, and were understood to be, *dismissed* from the Third Church, there can be

no question in the least. (Claims, &c. pp. 11, 23, 52.) And because we said that Dr. Whitaker might, perhaps, in a sense consider them members, until they had been recognized as members of some other church,—“another point has been abandoned”!! (Cor. p. 33) But is not every one now so considered, when dismissed “without censure?”

We wrote upon the point of “dismissal,”—not to exaggerate or to extenuate, but to show what *is true in history*. And now if our brethren want “a record of the Church,”—distinct from that act of the Presbytery,—before they can admit, that “the 14 brethren” were *dismissed*; then will they please, upon their own ground, to show us *how the majority were ever in any way separated from the Third Church?* Where is the RECORD of such a separation;—and where the RECORD, that Dr. Whitaker’s pastoral relation to the Third Church ceased in 1774, or at any other time, until Feb. 1784? Where is any evidence of any kind, such as is required in all questions of fact?

If, however, “the 14 brethren” were *not* dismissed, and we are to consider them, as of the Third Church, the act of the Presbytery to the contrary notwithstanding,—then let our argument on this point (pp 23, &c.) be met manfully, logically, and be *answered*. We think, that if the members of the South Church were to read this part of our pamphlet, they would find something “new,” or something more than was reported to them by their Committee. By no possibility could those “14 brethren and 24 sisters” be the Third Church, to the exclusion of a majority, of nearly two to one of the former, and five to one of the latter.

What if the fire of Oct. 6th had not occurred? Who would have held the house of worship? Who but the same that occupied it, as before the connexion with the Presbytery, and nearly five months afterwards? The original organization of the Third Church was precisely the same, *after* the burning of the house of worship, that it was before.

Our brethren refer (p. 18) to a vote of certain proprietors, disapproving of what was called “Dr. Whitaker’s late innovation of a presbyterian *government* ;”—not “*presbyterianism*,” as quoted by them. (p. 18.) It was “the government” of the *Presbytery*, to which they referred. And it is doubtless true, as stated, that the meeting was held, not according to the wishes of “the Committee of the Society, who refused to call the meeting;”—but upon a warrant issued by a Justice of the Peace; [He may have been one of the fourteen] “and was probably attended only by such of the 14 brethren, as were proprietors, and those who with them preferred Congregationalism.” Does this prove, that

those proprietors were *the Society* connected with the Third Church? What can be plainer, than that they were *but a part only*, and that their whole proceedings had no countenance from the majority?

“The Congregational portion of the Society, including the 14 brethren and 24 sisters,” say the brethren (p. 18,) and who as they unwarrantably add “were still members of the Church,—immediately took measures to procure a house of worship; and in about a month purchased the Assembly-house, and fitted it up for a meeting-house, &c.” They were then known under the name of the “Proprietors of the South Meeting-House, several months before the Council of Feb. 1775.” (See Cor. p. 41.)

Again we ask, what can be plainer, than that these persons so called, had formed a new organization, as a Society? Must it not have been so understood by all others, at the time? *There and then* it was, viz: late in the autumn of 1774, *that the present South Society had their beginning*. And now may it be seen, what we meant in our communication of Nov. 13, where we said,—“we are unable to see how your Church can be *forty years older* than your Society!”

In respect to other statements of the brethren relative to the proceedings of the majority and the minority, in providing accommodations of worship, we have only to remark, that, as we have shown in our pamphlet, (p. 38.) their whole claim is entirely unfounded in facts, as understood and recorded by Dr. Bentley and others. We have tried hard and in vain to comprehend the relevancy of their quotations from “the pastor of the Tabernacle,”—in regard to the distinction between a Church and Society, so far as connected with the present question. (p. 20.)—And never could we have imagined, that any of our brethren of the South Church could possibly be so at variance with all history and all reason, as to pretend, that the new corporation of Proprietors of the South Meeting-House, in the latter part of 1774, were truly and properly the old Society of Dr. Whitaker, Mr. Huntington, Mr. Leavitt and Mr. Fisk!

A very intelligent proprietor of the present house, whose knowledge of the antiquities of Salem is perhaps unsurpassed by that of any man, felt constrained to protest, as we have been informed, against the inscription, “Third Church—1735,”—when for the first time, a few years since, it was placed over the pulpit. If he did thus, he must have been actuated by his regard for historic truth, and correct public opinion, and not moved by any bias, that “emanated from the Tabernacle.” His strong and ardent local attachments are indisputable.

*The Council of February, 1775, and the Organization
of the South Church.*

Dr. Whitaker's pastoral relation was unchanged. The Church, with the Congregation, by far the majority, worshipped together as before the fire of Oct. 6. Preparations were making for a new house, to be named the 'Tabernacle'; and the Dr.'s purpose was to have it for his church and people, as presbyterians, and as far as he could secure it, for such only ever afterwards. He was much disappointed.

And now *who called* that Council of Feb. 1775! Certainly not the Third Church. It was called by sundry individuals, as Benj. Ropes, &c.

We have fully examined the proceedings of that Council, (pp. 10—27) all of which do not appear in the deceptive Result, published by our brethren. (pp. 28—30.)—Will the reader turn to our pamphlet, and see whether we have not established our entire position, in respect to those proceedings.

Our brethren have not disproved a statement, that we made; but deny, that any thing more was understood at the time, than "a renewal of covenant," and a recognition of "the 14 brethren," as being the Third Congregational Church in Salem. We must beg leave to demur altogether at this denial. We very much doubt, if something more "was not *understood*."

Upon the intrinsic merits of the Result of that Council, the claims of the South Church entirely depend. No part of our discussion, therefore, can at all compare with this in importance. That such was our opinion, the reader will find evidence in our pamphlet, pp. 10—27. When reading the "Remarks" of our brethren, therefore, we had no small curiosity to see, in what manner this portion of our argument would be treated. Our conjectures were partly realized. But the very last thing which we should have expected, is what our brethren have given, as if the main reason for declining a work, which of all others should have been most promptly and faithfully performed.

"*We have no disposition, (say they) had we the ability, to enter into an examination of the proceedings of this Council, (composed of such men as the venerable Dana and Cleaveland of Ipswich, and Robie of Lynn,) whose decision is treated with so much contempt in the pamphlet under consideration*" !!

We have read the first part of this sentence, much more thoughtfully than the latter; and if we understand our

brethren, they must have mistaken themselves, the Council of 1775, and "the kind author of the pamphlet."

Our brethren think, also, that there must have been at least *ten* [who knows if there were *six* ?] "laymen of high character and standing"; making with the clergymen, "FOURTEEN" in all! What man living can tell *the name* of one of them ?*

And it is insisted, that there was a session of "three days;" when, if there be any evidence in the documents, the whole "construction" occupied but one day. In the date at the top of the page, in the South Church Records, "14—16,"—the last number probably denotes the time of the *copying* of the Result, with the other papers, which are severally dated Feb. 14. But let it be, as our brethren think. Let the Council have been most "respectable" and "venerable." Let them have been FOUR HUNDRED, and have sat as long as did the COUNCIL OF TRENT. Their Result must stand or fall by itself. Our brethren would say the same of the proceedings of any ecclesiastical body, which the whole of Christendom could now assemble.—But if they who fabricated the "construction" could not defend it, as we must believe they would have done, if they could,—it is hardly to be supposed, that any others would now do well to undertake the service.

We claim, however, to know something of the *clergymen* of that Council of 1775; and there has probably never since been convened in Salem, a Congregational Council, in which there was not as much of "venerable" talent and knowledge of ecclesiastical affairs. Far be it from us to treat *them* with "contempt;" however little we have spared their Result. "Great men are not *always* wise; neither do the aged understand judgment."

We believe the impartial will agree with us, that we have done our work sufficiently, for *an organization* of the South Church, Feb. 14, 1775. But our brethren give us the credit of "a wonderful discovery" as of "a fact which had eluded all eyes and ears, since 1775." They do us honor over-much. Our paternal teacher, as they must have forgotten, had recorded the "fact," but not as *his* "wonderful discovery,"—many years before we published it in 1835. We had then never seen one line of that Result of 1775. Earlier still, Dr. Bentley had published the same, without seeming to have ever heard of "the construction." And *this*, "the construction," but not the "*fact*," of which our brethren attribute to us the "won-

* Omne ignotum pro mirifico.

derful discovery," it would have been incomparably better to have said, "has eluded all eyes and ears since 1775."

It is in vain to speak of those proceedings of the Council of 1775, as if *the facts* could not now be sufficiently ascertained, for a just judgment upon the Result. The pretence is most futile. (Cor. p. 36.) In vain is it, also, to appeal to the Council, which ordained Dr. Hopkins in 1778, and that which deposed Dr. Whitaker in 1784,—as sustaining "the correctness" of the Result of 1775. The reader may need to be informed, that *the same clergymen* were the leading members of each; and the master spirit was the same personal identity. "And had their discussion," it is said, "been considered so "preposterous," "absurd and erroneous," founded on an "*egregious error*," and an "*inexcusable blunder*," as is now pretended, some attempts would certainly have been made at the time to correct it, either by calling another Council, or by proposing to submit the matter to a reference"! We know not how to reply to this, we confess. It occurred to us, however, that *if* that "decision" were so "preposterous" and "absurd," there was no more for Dr. Whitaker and the old organization to fear from it, than from "a reed shaken with the wind."

But are the brethren *serious*, in what they said of "the calling another Council," and "proposing to submit the matter to a reference"?—A few years ago, a highly gifted and eloquent convention in Boston, found "light" solemnly to vote, that the union of the States of North America be, and it hereby is, dissolved! Did an editor of any of our political journals, immediately call another convention, that the republic should receive no detriment?

The modern corypheus of diplomatic policy, Talleyrand, defined the most perfect use of language to be,—*the concealment of one's thoughts!* One member, at least, of that Council of 1775, would seem to have advanced very far towards this perfection. Convened by "the fourteen brethren," by a letter missive to "reestablish them in Church order," the Council organize them in due form, but call the whole transaction a "Renewal of Covenant"! We are not to be blinded by verbal contrivance, or any device or deception, when *facts* are before our eyes.

If it had so happened, that the question between the First Church and the Third, had remained unsettled, only thirteen years longer, i. e. for 40 years instead of 27;—we are quite inclined to think, that the Rev. Mr. Cleaveland and his associates would have been in a most awkward predicament. What then would they have given as the name of their "construction"; and what would have

been contrived as the phraseology of their first resolve?

Those who were organized as a church, and *a new church*, as all in Salem knew, according to the received language of *facts*, soon afterwards "Voted, (Rev. John Cleaveland present, as moderator,) That inasmuch as the Council convened by us in Feb. last, judged that this is the *individual church, which existed in the time of the Rev. Dudley Leavitt*, and after took on them the style of the Third Church of Christ in Salem; it is the unanimous sense of this Church, that our brother Benj. Ropes, who was chosen some years since to succeed Mr. Jacob Ashton, deceased, as Church Treasurer, is the legal and proper Treasurer of this Church, *by virtue of the choice made some years since*, as above said." (Cor. p. 37.) Some months later, if we do not misremember the record, a similar vote recognised the same Benjamin Ropes with Richard Lang, *as deacons!*

Of such proceedings, in *the language* of them, what shall we say? Was not every movement and all the phraseology, a part and parcel of the "construction" process? And how can we be expected to have confidence in the essential justice and reasonableness of such an unparalleled course of innovation and encroachment upon ecclesiastical usages?

At that very time, that same Benjamin Ropes had been obliged to give an account of his stewardship, as no longer the steward of the Third Church of Christ in Salem! And those same deacons had been superseded in the Church from which they had been dismissed, as being no longer in that office as before! Such a remarkable use of language, we have never known in ecclesiastical proceedings. It is time that not a trace of it should remain, as if approved and revered.

The more we examine the Result, and the proceedings, of that Council of 1775, some of the most essential of which do not at all appear in that document,—the more are we amazed, that any man among "the fourteen brethren," could have soberly sanctioned such a palpable absurdity, as is involved in any rational view of that "construction," by which it was attempted to make *a new church the old one, and the old church a new one!* The Council, however, neglected to pass the resolution, which would have perfected the memorial of their labors. It is as follows.—

"Whereas also, in a just and reasonable construction, any church may be originated yesterday, by the opinion of any Council to-morrow:

Therefore, resolved unanimously, on this 14th day of Feb., 1775, that what has hitherto been known and considered the Third Church in Salem, and is now under the pastoral care of Rev. N. Whitaker,

D. D., shall, at some future time, be called the Tabernacle Church; and shall be originated in 1774, when Dr. Whitaker and his adherents, in an informal and irregular manner, became connected with the Boston Presbytery:—*Provided*, however, that if any shall prefer it, the act of origination is not to be understood to take effect, at the real time of the connection with the Presbytery, but after the 6th of Oct. last, or the day when the meeting-house was consumed by fire.”

The Legal Consequences or Effects of the Result of the Council of 1775—the Settlement of the Plate, and the Reported Purchase of the Records.

The Third Church of 1735 never in the least acknowledged the validity of the Result of that ex-parte Council; and a more thoroughly ex-parte Council never was convened. In law it was a nullity and a farce. And it may be well to remind the reader, that Ecclesiastical Councils at that time had vastly more of influence, than they have in our days.

But our brethren affirm, that “their predecessors were recognized as the Third Congregational Church,” from 1775 to 1784. (p. 39.) By *themselves*, doubtless, and very probably by the Churches represented in the Council of 1775. But they were known in Salem *as the Church of Rev. Mr. Hopkins*, or *as the South Church*. Such was the understanding of people generally. So it has been ever since. If “the fourteen brethren” had taken the name *First Church*, they would have no more made themselves the Church of 1629, either in fact or notoriety, than they were made the Church of 1735, by the name Third Church, as used in their Records or their official acts.

Had a legacy been bequeathed to the “Third Congregational Church,” at any time between 1774 and 1784, can there be a doubt,” it is asked, “to whom it would have been adjudged, by any civil or ecclesiastical tribunal”? (pp. 35, 6.) “Can there be a doubt,” we respond, that if at any time in all the year 1774, such a “legacy had been bequeathed,”—Benj. Ropes, Jno. Gardner, Timothy Pickering, &c., could not possibly have had the presumption to claim it, as being “the Third Congregational Church”?—After May, 1774, the *North Church* was the *Third Congregational Church*, as much as the *East Church* was the *Second*. As yet the “construction” of Rev. Mr. Cleveland was to be ushered into the world.

After Feb. 1775, the 14 brethren, who, as Dr. Bentley has truly recorded, “took the name of Third Church,” and “not *with perfect propriety*,” as Dr. Worcester so significantly said, might, as being now organized a Congrega-

tional Church, and calling themselves the Third, venture a claim for a legacy, in such a case as that supposed, *if other circumstances* had been favorable. But if a legacy had been bequeathed to "THE THIRD CHURCH IN SALEM," Dr. Whitaker's Church would have received it, without controversy. If the South Church had had the least claim in law as the Third Church of 1735,—why did they not forthwith take the Records, the plate, and the other "interest" or property, as the rightful owners? What hindered a writ of replevin?

Eighteen years after the separation of the Third Church from the First, viz: July 16, 1753, the following vote was passed:—

"That our two deacons, Ruck and Pickering, be a Committee * * * to write a letter to Mr. Sparhawk's Church, in order to have a conference with a committee of that church, *respecting the First Church's Interest that is improved by them, for an amicable settlement of the same.*"

This vote contemplated only a division of the plate and other property; and hence the First Church or Mr. Sparhawk's, did nothing for "the settlement." The property of the Church of 1629 was held, in defiance of the claims of the separated and self-styled, but not the real First Church. And never probably would any part have been surrendered, unless the Church claiming it had first of all, as a preliminary overture, announced that they had given up the Name and Style of First Church. This they did in 1762.

The Third Church of 1735, as afterwards known, stood in the same relation to Rev. Mr. Hopkins's Church, as that of the First Church to the Third, when the latter so wilfully and so long called themselves *First*. More than ten years had passed, as we have seen, after the separation from Dr. Whitaker, when successful proposals were made "for a settlement of the interest of the two churches."—The Tabernacle Church, as the old Third Church was then most commonly called, might have refused to surrender any part of that "interest"; until their brethren had distinctly renounced the name Third Church, or at least expressly disavowed all title to consideration as the Church of 1735. But it is very doubtful, if any of the standing committee who acted for the Church, had any thought whatever of the "construction" of the Council of 1775; excepting that it was too absurd for any one seriously to maintain it. And the time had now come, when there was a strong desire to avoid everything, which might revive former disputes, and obstruct the desired interchanges of fellowship. Hence the Church voted, and no other vote is known to have been passed,—to give "consent to an equal division of the plate and other interest" [whatever

there might be belonging to the original Church of 1735,] as if now "jointly belonging" to the Tabernacle and "the Rev. Mr. Hopkins' Church ;—the latter "paying one half of all expense and charge." In passing this vote, there was no more reference to "Records" or "Name," than to an "equal division," of the Tabernacle, or of the Rev. Mr. Hopkins himself, at the equal "charge" of the two churches.

Two months later, the Committees of the two Churches, having equally divided the plate, signed an agreement between themselves, that the plate should be used in common for a season. And hence each half was marked Third Church, and Tabernacle Church, respectively ;—each Committee undoubtedly designating the mark of their own, but in what manner cannot now be ascertained.

If, however, at the time the Tabernacle Committee signed the paper, acknowledging the settlement of the plate, *it had been understood by them*, that the other Committee in so marking their portion, and so styling themselves, meant to claim the right of being considered the Third Church of 1735:—yet nothing which they were authorized to do, nothing which they did, and nothing which they could have done, would have *altered the facts* of history. Not seldom have men put their names to a document, which they subscribed for the *substance* only ; and to the phraseology of which, in some points, they objected altogether.

From the most unwarrantable "construction," which our brethren have put upon "the settlement of the plate," we might say, perhaps, that there was *an oversight* on the part of the Tabernacle Committee. Yet *as the facts were*, there is not the slightest reason to believe, that either Committee had any such thought, as has recently entered the minds of our brethren, and for which we can scarcely account. These staggered not at the word "*interests*," as they at first copied the term ; but could "divide equally" the "*interests*" of the two churches. And "*interests*" they also interpreted, as synonymous with "the whole subject-matter in dispute." The words "settle" and "divide," they made interchangeable, as if each meant to "*adjust*," and could be substituted, one for the other, in any connexion. Thus it "was doubtless understood at the time," they say, "that all questions between the two churches had been amicably adjusted, as in the former controversy between the *First* and *Third* Churches"!!

The memory of the aged is proverbably strong and bright, in regard to events of interest in their early manhood. The circumstance of the "marking" left no impression at all upon the mind of Dea. Safford, one of our Com-

mittee, and the most active. But that the question of title, as the Church of 1735, was never submitted for "settlement," with an "equal division of "the plate and other interest;" and that no *right* to the prerogatives and immunities of the old organization, was at that time, or ever surrendered, or compromised, or for a moment considered questionable, he KNEW, as well as he knew, that he never had committed *suicide*.

Yet in the pamphlet of our brethren, (p. 25) it is said,—

"We presume it will not be denied that the *name* of the Church had been a matter of dispute for ten years after the Council of 1775;—and it is a striking fact, that in no instance previous to this agreement had we been acknowledged by the other Church to be the Third Church—and it is a fact that they never afterwards claimed *that name* to themselves. The Committee appear to have 'settled' this matter effectually"!

We must here express our utter astonishment, at this representation;—after our brethren had seen other parts of our pamphlet, as well as our exposition of the "settlement of the plate." (pp. 54, &c.)

If the Tabernacle Church really surrendered to the Church of Mr. Hopkins, their claims as the Church of 1735,—how did it happen,—we further inquire,—that *neither church made any record of the fact?* Why has no one ever before *heard* of it? Why did not Dea. Punchard, e. g. as well as Dea. Safford and others, know of the fact?

Could Mr. Spaulding, the pastor of our Church at the time, have ever had the least semblance of such an idea? In 1819, he met Mr. Cornelius, who was then about to be settled at the Tabernacle. "You are going," said he, "to take upon you a great responsibility. That is a *very old* Church, and has had many ministers;—only *one* minister ever died among the people, and he, Mr. Huntington, was in a consumption when he was settled"! A volume would not suffice for similar testimony.

Can it be, that our brethren mean to be understood, as deliberately affirming, that any part of the present question was "*settled effectually*" in 1785? We should have inferred the same to have been true, in their opinion, ten years previous. They said, (p. 36) that if the decision of the Council of 1775 "had been considered so preposterous, &c. some attempts would certainly have been made at the time to correct it, by calling another Council, &c." Here the argument is, that the decision must have been virtually recognized as valid, and of course that the title of Third Church, as if the Church of 1735, had been surrendered.—Thus was it in 1775, as our brethren reason, and if this be not their meaning, they meant nothing to the point. But

now in respect to the settlement of 1785, they tell us,—
“we presume it will not be denied, that the name of the Church had been a matter of dispute for ten years after the Council of 1775”!! Memory must have slept between these two passages. One or the other cannot be founded in truth; as every one must see. Other associated statements, or inferences, (pp. 25--27,) we must say also, cannot be true. *We know* they are not. *“The bed is shorter than that a man can stretch himself upon it; and the covering narrower, than that he can wrap himself in it!”*

Had *“this Book of Records,”* we are told, (p. 26,) *“been at that time, (1785) in the possession of the Tabernacle Church, it is fair to presume, that they also would have been “divided”;* those previous to the separation in 1774 being delivered to the Third Church, and those after that date retained by the Tabernacle.” *“DIVIDE THE RECORDS”*! And why deliver to one Church, all previous to 1774? Would *that* have been an *equal division*, as in the case of *“the plate”* and *“the christening basin”*? The vote of consent to *“divide,”* was to *“divide equally.”* So then, every page must have been divided, or in some way, *one half of the whole previous to 1774,* must have been *“delivered”* to each!!

Further, as to the name; why should *that* have been given up, without being *“divided equally”*? What equivalent was granted the Tabernacle Church? Why should the other Church have been allowed the lion's share of the spoils, when, as ten years had proved, not a farthing or a penny-weight of all the *“interest”* of the Church of 1735, could have been touched by them, without that vote of consent to *“divide equally”*?

But again, the Records remained in our Church, it seems, *“by the accidental circumstance of Dr. Whitaker's having been the Church Clerk, who kept them in his possession until he left the Tabernacle, and entered in the book the doings of that Church.”* Mark this. We had the Records for nine years *“after the separation,”* by an *“accidental circumstance”*! What kind of a *“circumstance”* was it, that prevented a *demand* of those same Records? Was it all *“accidental,”* that they were *never* demanded?

It is said also,—*“After he (Dr. W.) left that Church, in 1784, neither Church had them for many years. [“Neither Church”!] And the Records of the Tabernacle Church were kept for a long period in another book. At length, it having accidentally become known, that the old book of Records was in the possession of an aged individual in this city, it was purchased by a member of the Tabernacle Church, as we understand, for a couple of dollars. Had it*

been purchased by a member of the Third Church, "*equity*" would probably have required, that the portion subsequent to the separation, should be restored to the Tabernacle"!

And this, we suppose, is deemed a sufficient answer to all that can be said, by our possession of the Records, as *prima-facie* evidence of our title to consideration as the Church of 1735! It would also *appear* to be indicated, that the Records were obtained by a sort of clandestine process, or a dishonorable expedient. And if it be meant, also, that any one of the South Church might have secured the Records for that Church in a similar manner, we have to say, that those Records would have been demanded and obtained of that Church, just as other property was taken from members of that Church, after the separation.

The old book of Records, having been in the hands of the pastor, at the time of the difficulties with him, previous to his removal from office, *nine years* after the Council of 1775, the Church were obliged to begin another book to record those doings, which he refused to recognize. After he had been shut out of the pulpit, he had the Records still, and was supposed to have carried them away. But in fact, they were here all the time, in the hands of a member of the Church.

Mr. Hubertus Mattoon and Mr. Hubbard Oliver had been elders in the Church, for some years; and adhering to Dr. Whitaker, in his fallen condition, stood aloof from their brethren. A young and very efficient member of the Church, (now the venerable Dea. Punchard,) one day remarked to Mr. Oliver, that he was very sorry, that Dr. Whitaker should have carried away the Records. "Why," said he, "I know where they are; Mr. Mattoon has them." "Has he," replied Mr. Punchard, "then I wish you would get them." "Well, I think I can," said Mr. O. In a few hours, *he brought them to Mr. Punchard, and delivered them into his hands*; remarking, pleasantly, "the old man says, he thinks he ought to have something for letting you have them. He thinks he ought to have two dollars." Knowing that the old gentleman was very poor, and being very glad to find what he had feared was lost irrecoverably, Mr. Punchard took from his pocket "a couple of dollars," and handed them to Mr. Oliver, saying,—“very well; he shall have them”! We add no comments.

The innuendo in regard to "*equity*" is, perhaps, too small a matter for a word. But we are formally charged with having abandoned a point, (p. 32) because we spoke in the Correspondence of a part of "*the plate*" as given in token of good fellowship, as a "*peace offering*"; and in

our pamphlet, as being granted in "equity," not as *legally* "belonging" to the Church of Mr. Hopkins. As if the *purpose* and the *principle* were not entirely consistent.

So in other cases, the language which we have used, in our earnest desire to be exactly correct and ingenuously fair and open, has been construed or transformed into some assertion or intimation, by which our brethren have done no better justice to themselves than to us. We had thought of making a collection of these, in a miscellaneous series.— But we forbear.

Our brethren, of course, could not have *intentionally* misrepresented the "settlement of the plate." But a most palpable and thorough misrepresentation it really is, in all the important particulars, affecting the question before us. In the conclusion of the Report of Dec. 22, it is said,— "We can see no propriety in again referring these matters to a committee of conference, believing them to have been already 'settled' by the parties immediately interested, at the time when all the facts in the case were fresh in their memories, and all necessary documents could be obtained." How such a statement could have been made, passes all our comprehension!

If, however, as in truth and soberness, any one should now declare, that the present question was, in the least degree, considered and "settled" in 1785; then would it be sufficient and most suitable for us, summarily and positively to deny the declaration; and pronounce it in every part, entirely and grossly untrue. The internal evidence to the contrary is overwhelming; while the external and the living is as complete and decisive, as could ever be demanded in a court of equity or of law, for the absolute, unqualified determination of any question, that can be imagined.

The "Discrepancies," Historical Evidence, &c.

Our brethren have said little, and we think it would have been wiser to have said nothing, of the numerous facts and the details of evidence, in extending which "over a space of about 13 pages," they have thought it important to inform the reader, that "the kind author of the pamphlet labored hard"! Our *argument* in those pages, we strongly suspect, was found to be quite as "*hard*" as our "labor." "And we aver," they say, "that our pastor's statements in his Sermon are substantially correct. In grouping together a few historical facts, for the information of the Church, he saw no necessity for an observance, in every particular, of exact chronological order. The facts

in the case, the only things that were wanted, were truly stated."

We shall not do as we might, with this passage. It was with extreme regret, that we were compelled to exhibit those discrepancies in published statements, by the pastors of the South and Tabernacle Churches. A necessity of self-defence had been forced upon us. We considered our personal character for veracity, as having been really implicated, by the comments of individuals, upon what we had been known to state, as the truth in the history of the Third Church. And now, although our brethren have spoken of us as they have, and have laid themselves open to almost every mode and measure of searching remark, we have hesitated much, whether to say a syllable more upon the subject. Let any one who is disinterested, read for himself any part of those "13 pages" of ours, and compare them with the answer which our brethren have attempted. We greatly deceive ourselves, if it will not be felt, that they have made "the last state" of this matter, far "worse" for their cause, "than the first." And for this, certainly, we are not responsible.

We will here cite the paragraph of the Sermon of 1843, and the extracts from the Appendix, which we so particularly examined in the "Second Part" of our pamphlet.

"The Third Church was formed from the First in 1735, and prospered under the labors of its three first pastors, Messrs. Fisk, Leavitt and Huntington. But under the fourth pastor, Dr. Nathaniel Whitaker, a sharp contention arose between him and a part of the church, during which their house of worship was burnt, and a majority of the church adhering to Dr. Whitaker, became *Presbyterians*, built the house of worship now called the Tabernacle, and took the same name as their ecclesiastical designation. Their present pastor is the Rev. Samuel M. Worcester. After this withdrawal of the majority, which took place in 1774, entering another denomination and taking another name, the minority, in 1775, called an ecclesiastical council to decide the question, whether the minority, remaining on the Congregational platform, ought to be considered as the original Third Church formed in 1735? The council unanimously decided that it ought to be thus considered. The church that I have the pleasure to serve, has, accordingly, from that time to the present, been considered and called the *Third Congregational Church in Salem.*"

"THIRD CHURCH.—Samuel Fisk, [settled in] 1736; resigned 1745. Dudley Leavitt, 1745; died 1762. John Huntington, 1763; died 1766. Nathaniel Whitaker, 1769; withdrew 1774. Daniel Hopkins, 1778; died 1814. Brown Emerson, 1805."

"TABERNAACLE CHURCH.—Nathaniel Whitaker, [settled in] 1774; resigned 1784. Joshua Spaulding, 1785; resigned 1802. Samuel Worcester, 1803; died 1821. Elias Cornelius, 1819; resigned 1826. John P. Cleaveland, 1827; resigned 1834. Samuel M. Worcester, 1834."

We offered one comprehensive "objection, which includes all the rest,"; viz. "that no person can here ob-

tain any just idea of the origin and history, either of the Tabernacle Church or of the South Church." This objection we sustained, under eleven specifications, two of which might have been subdivided, so as to make thirteen in all. *Not one of these has been disproved.* And how has it been attempted to answer them? By affirming emphatically what was never denied, or at all brought into the question; by repeating in like manner as if true, what had been most thoroughly confuted; by altering phraseology, so as to make another sense altogether; by introducing and asserting unqualifiedly, what is wholly incapable of support; and by entirely omitting to notice, even by allusion, some of the most important of the statements, which we have *proved* to be as "erroneous", as we had ever represented.

Our brethren may speak for themselves, in the left hand column, below; while in the opposite, we will subjoin but a word or two of exposition.

"The Third Church," (say the brethren) "was formed from the First in 1735, and *did* prosper under the labors of its three first pastors, Messrs. Fisk, Leavitt and Huntington." (1.)

"Under the fourth pastor, Dr. Whitaker, a sharp contention *did* arise between him and a part of the church." (2.)

"During that contention their house of worship was burnt, and a majority of the church *did*, under alleged irregular and clandestine measures of Dr. Whitaker, become Presbyterians." (3.)

"This was a withdrawal of the majority, not by vote of the Church, for it does not appear that, at any regular meeting, the Church as such, before the separation, ever acted on the subject. A majority of the members, in their individual capacity, withdrew, and were acknowledged as a Presbyterian Church, by the Boston Presbytery. Had that been done by a vote of the Third Church, at a regular meeting, the case would have been materially different." (4.)

"That new Presb'n Church (5.) *did* very soon after the burning of

(1.) We said nothing upon this sentence. We might, if we had been scanning every part, have inquired for proof of *prosperity* under Mr. Fisk.

(2.) Not controverted. And why then such emphasis, in this and the previous sentence?

(3.) The complicated errors, in regard to the time and manner of the introduction of presbyterianism, are now repeated, as if assertions could *make* facts or *alter* them.

(4.) This general statement, in the obvious and intended impression, has not the least foundation in fact.

(5.) "A *new* Presbyterian Church" in Salem, in 1774, was never heard of, until the present discussion.

(6.) Who ever denied, that the Tabernacle was "*built*";—or that "*preparations* for building" it were "*made*, soon after the burning of the old house of worship";—

the old house of worship, make preparations for building a new one, to be called the Tabernacle; and in due time *did* build the house now called the Tabernacle. They then gave it this name; and the Church *did* afterward take the same name as their ecclesiastical designation." (6.)

"The minority of the Third Church *did* remain on the Congregational platform; (7.) and in 1775 *did* call an ecclesiastical council to decide the question, whether they, the said minority, ought to be considered as the original Third Church, formed in 1735; and the Council *did* unanimously decide, that they ought to be thus considered." (8.)

or that it was built in "*due time*;" or that "the church *did* afterward take the same name as their ecclesiastical designation." Why then such a totally divers reading? Are "the facts in the case" *as* stated; and as *we* objected to them?

(7.) The minority "*reassumed the congregational form*" when they were "re-established in church order" by the Council of 1775.

(8.) The Result of that Council indicates no such purpose of their being called, as is here repeated from the Sermon. It may have been a *secret* purpose.

"These are the facts," it is added, "which, together with the Result of that Council, make up the statements which the kind author of the pamphlet declares to be "mistakes and errors, radical and entire." We are willing, that in view of these facts and his special pleading, the whole matter should be left to the decision "of unsophisticated, unprejudiced, unimpassioned common sense"!

"THESE THE FACTS"? All of them; and "*truly stated*"? It does not so appear to our minds; but the reader may decide between us. Let him turn to our pamphlet; and we cheerfully abide the verdict. There is one suggestion, however, which we cannot refrain from making. Among the very striking *omissions*, there is one which we think to be more *emphatic*, than all the rest. It may have been an oversight, but it certainly is a remarkable circumstance, that our brethren did not complete the paragraph of their positive affirmations, by also reiterating—and "*the Church has ever since been considered and called the Third Congregational Church in Salem*"! It was this statement which we had examined, "over the space" of nearly half of those "thirteen pages"! And if statements were affirmed most earnestly, which were never called in question, it is at least somewhat extraordinary, that *that* which we had made so very prominent should have been so entirely overlooked.

We will not enlarge, though we have but just begun. In justice to ourselves, we could hardly say less. May we never be tempted to say more!

Equally or more unsatisfactory, is the response to all that we have said, in our presentation of historical testimony.

The "reference to various historical documents, in which ours is called the Third Church, was made, as the author of the pamphlet well knows, not so much as an *argument* in support of our claim, as to meet the allegation which was made, that it was of but *recent* date," etc. etc.

We believe, that we understood our brethren in those "references"; and we have shown that they are all, like "a broken reed" *for* them, or "a two-edged sword" against them. One would have thought from their style and tone of remark in the beginning of their Report of Dec. 22d, that they could bring whole libraries of "documents" against us. Never was a pretension of historical strength more unfounded. Let the reader review our examination of the "Annals of Salem," "Hayward's Gazetteer," etc., etc. (pp. 38, 40.) We have here said enough, but we have much more to say, if occasion shall be given us.

In reply to our allusions to the opinions of several legal gentlemen, we are told that they were influenced by *ex-parte* statement; as if *the facts* in the case were not sufficiently before them. And "the venerable father of" John Pickering, LL.D., is quoted against the son, as being "an impartial as well as a competent witness in the case, as he had belonged to neither of the two Societies for some forty years prior to his decease, and his associations and sympathies were with another denomination"! But was not that "venerable father" *one of the identical "fourteen brethren"*; the leader of them also; and although not a member of the Society, as stated, yet until very late in life, was not his name upon the books of *the South Church*, as still a member?

And no marvel, that Timothy Pickering, Jr., should have been characteristically inflexible in his views and prejudices, as the champion of "the fourteen." His father, Timothy Pickering, Sen., had warmly disapproved of the settlement, by which the Third Church gave up the name of First Church. He would not *commune* with the Church, in consequence of their relinquishment of that title; and it was a process of discipline with *him*, mainly on that very account, which was one of the special occasions of the "sharp contention" with Dr. Whitaker.

"We wish it to be distinctly borne in mind," it is said, "that we have asserted no new claim, and taken no new ground on this subject; and that our action has been entirely on the defensive in this controversy. And we think it may well be asked, as it has repeatedly been asked—why, if the late Dr. Worcester felt so strong a conviction of the "ecclesiastical falsity" of our title, as is now represented, some measures were not adopted in his day to set the matter right before the public, when so many living witnesses could have been found who had a perfect knowledge of all matters connected with the separation in 1774? Dr. Hopkins, it will be recollected, (the pastor succeeding Dr. Whitaker over the Third Church) was perfectly familiar with all the

circumstances, and was contemporary with Dr. Worcester 10 or 12 years in this place; Deacon Lang was also living at that time—as well as the Hon. Timothy Pickering, and others who were active in those proceedings. * * * * It seems to us that much “more light” could have been obtained in the days of Mr. Spaulding, or the lamented Dr. Worcester, when so many persons were living, conversant with all the facts; and we are not ready to admit that the principles of Congregationalism, and of ecclesiastical government and discipline, were less understood by the Councils of 1775, 1778, and 1784, and the venerable men who have followed them, in the two succeeding generations, than by the author of the pamphlet just published.”

All this, like other kindred passages, may sound very plausibly to those, who may be ignorant of the undisguised and unvarnished history of this question. But every sentence, with which our brethren thus close their attempted answer to our pamphlet, is radically exceptionable.

They profess to be “asserting no new claim,” and to be “acting entirely on the defensive.” This is just our own position exactly. *Who* but themselves caused the immediate, and, as we understand the facts, the unavoidable necessity for a fraternal settlement of the matter in dispute? Previous to 1843, who ever saw or heard of such statements, as placed the Tabernacle Church before the community in a mode of beginning, which it is impossible to substantiate? If our proposals had been met, in the same spirit with which they were made, a public discussion would have been prevented.

Do our brethren consider it *argument*, to suggest such “strangeness,” in opposition to the direct and explicit testimony from the hand-writing of “the lamented Dr. Worcester,” as well as from “living witnesses” of his opinions and declarations? Do they deny or disbelieve that testimony? If not, to what purpose, are such remarks as they have made?

If *they* would not meet us in a friendly conference, when such a collision of our respective claims had occurred, what would have been thought of such a movement as ours, in the days of Dr. Worcester and Dr. Hopkins, when there had been none whatever? Was not Dr. Hopkins *committed*, with Mr. Cleaveland, &c. in the “construction” by the Council of 1775? Was he not most heartily opposed to Dr. Whitaker; and was he not the ready counsellor of “the uneasy brethren,” for months previous to the meeting of that Council? What did Dea. Lang know in regard to this subject, that Dea. Safford did not, or that Dea. Punchard does not? If this question cannot *now* be properly considered and settled, *there never was a time when it could have been.*

The idea that “numerous documents” are lost, or that we cannot have the necessary facts, because original “wit-

nesses" are all dead, would not be suggested, as we think, if the "documents" remaining, and the *facts* recorded, or otherwise preserved, which in the nature of things can be considered essential, were not so very different in their witness, from what our brethren would desire. We have no question, that they have made out far more of a defence of their claims, than could have been made at an earlier period, or by any of their predecessors.

With some persons, especially those of the South Church and Society, it may be deemed a very sufficient answer to all that Dr. Worcester has so testified, simply to ask a wondering question. But we have a question or two.—Where had it ever been stated, during his life, that the Tabernacle Church began in 1774; or that Dr. Whitaker "withdrew" from the Third Church in that year; or that the South Church was the *Third Church of 1735*; or that Messrs. Fisk, Leavitt and Huntington were not *his* predecessors, but those of Dr. Hopkins? Did *he* ever see "Third Church—1735", over the South Church pulpit?—If instead of closing his earthly course at the age of fifty, he had lived to three score and fifteen years, and any such statements as those in the Sermon of 1843, had appeared, they would not have met his eye in unbroken silence. If he had seen himself published as *first* pastor of the Tabernacle, he would not have been any more astonished, than he would have been, to have found himself *the third*. Mr. Spaulding, also, would have been equally astonished and amazed, in finding himself *the second*.

We must now say most explicitly, that, until 1843, the pretensions of our brethren as now published, were out of sight, and *in the dark*, with only here and there an inconsiderable exception. In all the time, since Feb. 14, 1775, the members of the old organization have never had any other thought, than that their's is the Church of 1735; but have seldom had the smallest reason for a word upon the present question. In each month of the past year, more has been said, probably, seventy times over, than in the whole seventy years previous.

We feel injured by the intimation, that *we* have been suddenly reviving a question, which was "effectually [?] settled", more than two generations since; that without any cause *we* have been interfering with rights and immunities, which have been freely accorded by sister churches and the public; and that we have seized upon a time, when it is impracticable to have access to facts and documents, for a proper adjudication of the question. Can any reflecting man believe all this, or any material part of it, to be *true*? What conceivable motive could we have, for such a procedure?

Many years ago, when it was supposed, that the pastor of the South Church, who has never investigated the subject for himself, entertained incorrect impressions concerning the controversy with Dr. Whitaker, and the history of the Third Church of 1735, very suitable means were taken to lay the essential facts before him, kindly and truly.—The manuscript history of the Tabernacle Church has been in his hands. And now we have to inquire, whether he or any member of the church, to which he has so long ministered, ever had the least reason to suppose, that the pastors and members of our church had any other consciousness or conception of themselves, than as being most certainly the only proper representatives of the Third Church of 1735 ?

It is to avoid evil in the future, and serious evil, which is inevitable, unless this question is settled,—that we have done what we have, in behalf of the Claims of the Tabernacle. And we have not a single doubt, that if we could get a fair hearing before the whole body of our brethren, a decided majority would yield the point at issue. They made a great mistake, in so treating our proposals for a conference. We believe, that many of them are now sensible of the error. But they have yet much to learn, as we are persuaded, of the facts and arguments, by which we have vindicated our Claims. It would seem to us, that, although these may have been “read carefully,” they have been reported by their Committee, about as “carefully” also, as a man would take live coals into his bosom.

In all this discussion, our brethren have not managed their cause, as if they were thoroughly satisfied, that impartial arbitrators would decide in their favor. We have frequently been reminded of the course, which is often pursued at the bar, when an advocate knows, that he has the wrong side of the question. He concedes nothing, not even a self-evident principle, or a most undeniable fact. But according to professional license, he draws freely upon his imagination, and makes the very most of real, or pretended circumstances, for a special plea, which may at least perplex and embarrass one or more of the jury, and prevent an unanimous verdict against his client.*

* We cannot refrain from giving a pleasant anecdote in point. Not long since, we happened to meet an old college classmate, who has now not a little of distinction. Speaking of efforts at the bar, we said to him,—“Well, suppose you have a case in which it is perfectly plain, that you are in the wrong, and your opponent has arguments, that you cannot answer. What do you do?” “O,” said he, with great good humor, “we do the best we can. We pick flaws in the evidence. Perhaps we can get rid of some of the witnesses. And you know,

We have not been much accustomed to shelter ourselves behind others, nor to shrink from any service or personal responsibility, which belongs to our public or private position. We have seen times, and may again, when we have been willing to attempt what appeared to be our duty, although menaced by a whole shower of sharp arrows. Yet it is always a high satisfaction, when it is our privilege to know, that we are heartily sustained by those, whose established reputation for wisdom, sound judgment, and uprightness, is not to be despised or disputed. In this present discussion, we have all the concurrence of public opinion in general, and the approval of the discriminating and disinterested in particular, which any one could ever expect to have, in any such circumstances. We must be allowed to suggest, also, that "though dead," the "lamented Dr. Worcester" "yet speaketh"; and that *his* knowledge of "the principles of ecclesiastical government and discipline," would not suffer much in a comparison with that of any, or of all of the members of the aforesaid Councils. There are not a few, who would regard his opinion in such matters, very much as a legal decision of a Marshall, however it may have been contravened by some Justices of a Court of Common Pleas. And we might inquire of our brethren, whether if he were now alive and were to utter, as he would, those opinions which he held, it would make any material difference with themselves, in *their* opinions and their actions? From present appearances, we suppose not.

We are well aware, that they would most sincerely disclaim all intention of a word or a thought, except the most honorable to the memory of "the *lamented* Dr. Worcester." But the unanswered arguments of "the kind author of the pamphlet," are of no account in their esteem, because his conclusions and most cordial convictions are so at variance with the Result of the Council of 1775, and the voice of those who adopted or approved it, as reasonable and just. We do not see, therefore, that they can effectually escape the alternative of a virtual equivalent to entire disregard—we will not say, and do not mean, "much contempt,"—

it is very likely there may be some arguments on the other side, which are not so conclusive as others; and if so, we lay out our strength against *them*. As to the arguments which we cannot do any thing with, why, we either say nothing about them, or we just tell the jury, that they are too weak to require any notice, as each one can see for himself. And some of them," he added, "may know no better, than to think what we say is true. At any rate we hope so; and sometimes we get our case, when the facts and arguments are all against us."

for the testimony and the judgment of a man, who was surpassed by none of his contemporaries, in knowledge of the rights, usages, and principles of Congregationalism.

The question, however, we humbly conceive, is not what *we* may comparatively know of congregationalism or ecclesiastical discipline. The question is, which is the Third Church of 1735? The public will consider what *arguments* have been offered, to establish the Claims of the Church, in relation to which, in the ordering of Providence, we have all the natural attachments of a filial spirit, no less than the strongest pastoral affection. As regards both the matter and the manner of our vindication, we ask only for moderate justice. Before the impartial, we will abide any severity of scrutinizing. We have written as we have, with an unhesitating conscientiousness. In no case would we forget, that reproach is not reasoning. And whatever might be the power or the temptation of censoriousness or invective, in any form or degree, it can never do harm to imitate, as far as we may be able, the self-possession and the chastened fervor of him, who, in that memorable contest of the North and the South, so significantly "commended" his fiery antagonist, "to a prudent husbandry of his resources."

In one part of our vindication especially, the "effort", which we made to "*seem*" to "speak in the language of courtesy and kindness," so that what was *reality* might have an unequivocal expression, failed altogether of its intended effect upon our brethren.

We may have deceived ourselves; but our purposes certainly were far otherwise, than they appear to have considered them. They may not have been in the best state of mind to judge. We can say as did the late Jeremiah Evarts, when accused of being "disrespectful," most "uncourteous", "bitter" and "malignant", that "to attempt victory in an argument, by making an opponent personally odious, is altogether unjustifiable; but to exhibit the real delinquencies of the *writer*, is far from proving the existence of enmity or unkindness towards the *man*." A *kinder* or a purer spirit than his, is not often seen among mortals. But in the discharge of duty, he was fearless and decided; not conferring with flesh and blood, or taking counsel from a temporizing policy. When most violently assailed by those, who could not refute his arguments, or disprove his facts, he had the consoling witness, as he affirmed, that public considerations alone had influenced him, in all that he had ever written of a personal nature, as to the living or the dead, in any of his articles in the Pano-plist. And it is a sagacious and instructive observation of

a recent author, that "Those who are not entirely assured of a well established position, are peculiarly sensitive to criticism, however kindly meant, or respectfully expressed."

COMPREHENSIVE SUMMARY.

REVERSING the order of our positions in the argument of our former pamphlet, we would now state in brief, that the witness of *historical documents* is most explicit and most conclusive for the claims of the Tabernacle. So also is that of the observation and knowledge of the community around us. The native inhabitants of Salem, now living—a very few, if any, of the South Church and Society excepted,—never had any other impression or thought, than that Dr. Hopkins was the first pastor of this latter Church, and that the church was constituted, not long before the time, when he became the pastor. This impression was as fixed and undoubted, as any impression could have been, until it was singularly perplexed by the historical Sermon of 1843. And this impression alone, this *belief* rather, is argument unanswerable in most minds, against all the pretensions of the South Church, as if the Third Church of 1735. How is it possible, it is urgently asked, that so many hundreds and thousands,—so situated as to have every means of knowing a plain matter of fact,—could be so totally deceived and mistaken? It might as justly and reasonably be maintained, that South Danvers is South Salem, or that Rhode-Island is Great Britain.

An *exparte* Council, in 1775, did indeed resolve, that the "14 brethren and 24 sisters," [who had separated from Dr. Whitaker, and had been dismissed from the Third Church,] were "in a reasonable and just construction, *The Church* which existed in Rev. Mr. Leavitt's day." Here we have the beginning and ending of the claim of our brethren.—We call for *facts*. We must have *testimony*, e. g. that Dr. Whitaker and that his friends "*withdrew*" from the Third Church, and formed a new Church in 1774;—TESTIMONY according to established laws of evidence, applicable to all matters of fact. But it can no more be *proved*, that the Tabernacle Church began in 1774, than that it began yesterday; or that Dr. Whitaker was the pastor of two different Churches in Salem, in one case from 1769, and in the other from 1774,—as the Committee of the South Church would have us believe;—than that he was successively the pastor of *every Church* in Salem, and in the whole Commonwealth of Massachusetts! And both the one and the other *must be proved*, before the South Church can have a stand-point, or a place for the first stone of a solid foundation, as any other Church, than that which

was recognized, and, as we maintain, *organized and constituted*, by the Council of Feb. 14, 1775.

The proof must be of other material and quality, than that of anti-presbyterian assumptions, occult abstractions, or retrospective "constructions," of an ex-parte Council, whose proceedings are now too "venerable" for examination, and are therefore to be received, like the ordinances of the Vatican! The Tabernacle Church and sister Churches, with the public at large, have a right to demand other proof, than has yet been offered, or that can be imagined to exist, or ever to have existed,—that the Third Church of Christ in Salem, without the consciousness or the suspicion of the pastor, and of more than one hundred members, actually expired, was abstracted, or had vanished for a mysterious and indeterminable duration; and then on the 14th day of Feb., 1775, suddenly *re-appeared* in "a reasonable and just construction," the very "*individual Church*," that existed twenty-five years before, in the days of the Rev. Dudley Leavitt!! We have very small faith in any Congregational metempsychosis, ecclesiastical mesmerism, or clerical legerdemain.

As a Church of Christ, we are older than the South Church, by forty years: unless a son can be older than his father, his father being yet alive; or a branch broken off and transplanted, can be the parent tree, the tree yet flourishing in undecayed vitality and vigor.

That the predecessors of the present members of the South Church *could not possibly* have been the *Third Church*, as such, over which Dr. Whitaker was settled, from 1769 to 1784, we have *proved* to a moral certainty. And further, we have proved and demonstrated, that *presbyterianism* does not at all touch the question of church-organization, or church-membership.

More than this: we have in our possession all the direct and positive proof of our real identity as the Church of 1735, which would be required of any Church, in a Court of Justice, to establish any corresponding claim, for any purpose whatever. As an ecclesiastical organization, therefore, or a *Church of Christ*, irrespective of Congregationalism or Presbyterianism, we insist, that we are the legitimate and undissolved succession or continuation of that identical body, which, in 1735, became a new Congregational Church, and which in 1763, took the name of "The Third Church of Christ in Salem." The Tabernacle Church never had any other formation or organization, regular or irregular,—any other origin or beginning, in church or state. THERE IS NOT A PARTICLE OF FACT TO THE CONTRARY, NOR ONE IOTA OF AUTHENTIC HISTORY.

APPENDIX.



AN Ecclesiastical Council convened, by letters missive, at the Brick School House, in Salem Library Chamber, on the 10th of February 1781, consisting of six Churches, viz: the second Church of Lynn, the second of Ipswich, the first of Gloucester, the second of Marblehead, the Church of Christ in Topsfield, and the first Church in Rowley—to advise in matters of grievance subsisting between the Rev. Dr. NATHANIEL WHITAKER and the Church who had received him as their Pastor; having chosen the Rev. Mr. J. Roby, Moderator, formed into an Ecclesiastical Council, and chose the Rev. Mr. E. Forbes, Scribe, opened with prayer: and after having obtained all the light, from public records, epistolary correspondence, and personal converse with the Doctor, and his Church, that the nature of the case, and the constitution of Congregational Churches, will admit, they came into the following Votes, or Resolves.

Resolved, That the Third Church in Salem was a Congregational Church, when the Rev. Dr. Nathaniel Whitaker settled among them, in the year 1769. Passed unanimously.

Resolved, That the method, which Dr. Nathaniel Whitaker adopted, to bring the said Third Church under the jurisdiction of the Presbytery, was irregular and clandestine. Passed unanimously.

Resolved, That the part of said Church, which adhered to Dr. Nath'l Whitaker, and was, by the above irregular method, brought under the jurisdiction of the Presbytery, have (upon conviction of that irregularity, and obtaining farther knowledge of the nature and tendency of Presbyterian government) a full right, within themselves, to reassume their former mode of government. Passed unanimously.

Resolved, That the said Church having renounced all subjection to any Presbyterian Judicatory, antecedent to their letters missive, and on the 11th instant, reassumed the Congregational mode of government; this Council own them as a sister Church, and receive them into their Christian fellowship. Passed unanimously.

Resolved, That whereas the monies, collected as free donation from Presbyterian societies, bear so very small proportion to the whole expense of the house called the Tabernacle; it is the opinion of this Council, that the Church and Congregation, usually meeting in said house, are under no sacred obligation (merely from that consideration) to continue under the Presbyterian form of government. Passed unanimously.

Resolved, That considering the irregular manner in which Dr. Whitaker introduced himself into the Pastoral relation, we cannot view him, constitutionally, the Pastor of the church over which he has presided: Therefore,

Resolved, unanimously, That the difficulties which subsist between Dr. Nathaniel Whitaker, the Church and Society, are so great, and of such a nature, that this Council is constrained to be of the opinion, that if nothing is done, by Dr. Whitaker, to remove them, we shall find ourselves under the disagreeable necessity, on our adjournment, to advise this Church to an entire dissolution of the acknowledged Pastoral relation between him and them.

At the adjournment on the 21th inst., we were so unhappy as to find, that Dr. N. Whitaker had taken no measures to remove the difficulties subsisting between himself and the Church and Society over whom he

had presided; but on the contrary explicitly resigned his pastoral relation to them, yea, absolutely denied, that he ever was a pastor over them as a Congregational Church, and declared that he never will be the pastor of a Church of that description,—and the Church on their part declared before this Council, that they cannot receive Dr. N. Whitaker as their pastor; therefore

Resolved, That it is the opinion of this Council, that the pastoral relation, which they have heretofore mutually acknowledged, is now as mutually dissolved by them. Passed unanimously.

Therefore, *Resolved*, That the said acknowledged pastoral relation is *ipso facto* dissolved; and this Council think it is their duty to declare, that Dr. Nathaniel Whitaker is no longer the pastor of the Church and Society usually meeting in the house called the Tabernacle. Passed unanimously.

Resolved, That since Dr. Whitaker has absolutely, and in the most peremptory terms refused to submit his cause to this Council or any judicatory mutually chosen, between him and the aggrieved brethren of the Church, even though one half should consist of Presbyterians: we were constrained to take a general view of the Dr.'s *character and conduct* since his settlement in Salem; and upon such a view the Council do declare, that in their opinion he has forfeited his character, as a Minister of the Gospel of Christ, and therefore ought to be suspended from the exercise of his office. Passed unanimously.

[Some general counsels follow.]

We add a few words of remark. The leading members of this Council, the same, as of the Council that recognized the fourteen brethren, were consulted and chosen, because of their known opposition to Dr. Whitaker, and of the extreme difficulty of obtaining prompt and efficient relief, in the very peculiar situation of the Church.

We have spoken (Claims, p. 17) of Mr. Cleaveland's pamphlet, reviewing Dr. Whitaker's defence, as "a conclusive reply." So we may regard it, in a general view. Mr. C. reasoned very adroitly in support of the first resolution, which declares the Church to have been Congregational in 1769, &c. But the proofs, which Dr. W. cited, "that the Third Church was *not* a Congregational but a *Presbyterian* Church, when he settled over them, in 1769," could not be set aside.

By bringing extremes together, you have the truth at the point of junction. The Church was both Congregational *and* Presbyterian;—and the Council should have removed Dr. W., without such an assumption, as was incorrectly taken for the basis of their proceedings.

Would not any one naturally interpret the words "said Church," in the 4th Res., to mean the same, as "said Third Ch." in the 2d? "The irregular manner" of Dr. W's introduction "to the pastoral relation," could refer only, as facts were understood,—to his being installed without a Council, at "his settlement in Salem," in 1769; from which time the Council "took a general view of his character and conduct."

By a great mistake, our brethren in their Report of Dec. 22d, speak of the Presbytery that *dismissed* the 14 brethren, as if the same which, in Dr. Whitaker's wrath, afterwards so foolishly voted to *excommunicate* the whole Tabernacle Church. The latter was a very different body, and called the *Salem* Presbytery. Dr. W. was the head of it; and at the time, it contained not more than *two*, if more than *one* settled pastor. We do not think, that Dr. W. should bear all the blame of the difficulties in the Third Church. But those who effected his removal in 1784, had suffered so much, that they could have but little of sympathy for the unhappy man, whose *passions* had been his wreck, if not his ruin. The kindest of our race are not prone to be agonized, at the sight of a "viper, biting at a file;" nor do they feel any very painful sting of remorse.

